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TAGS: [PREL](#) [PGOV](#) [SENV](#) [EAGR](#) [EAID](#) [UG](#)  
SUBJECT: UGANDA AND THE NILE: UPSTREAM STATES EAGER FOR  
AGREEMENT

REF: A. ADDIS ABABA 00454  
[1](#)B. CAIRO 01408  
[1](#)C. CAIRO 01615

Classified By: Political Officer Tim Manarin for  
reasons 1.4 (b) and (d).

[1](#)1. (C) Summary: On October 6, members of the Nile Basin Initiative (NBI) Secretariat based in Entebbe told PolOff that the NBI Technical Advisory Committee meeting held September 28-29 in Uganda had failed once again to achieve a cooperative breakthrough with their two northern neighbors. Upstream nations are reportedly considering pressing on with the Cooperative Framework Agreement (CFA) despite Egyptian and Sudanese objections. End Summary.

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Background: Nile Basin and the CFA  
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[1](#)2. (SBU) NBI was formally launched in 1999 as a partnership of all Nile watershed states to develop the basin in a cooperative manner, to share its substantial socioeconomic benefits, and to promote regional peace and security (ref. A). The regional body, which includes Burundi, the Democratic Republic of Congo, Egypt, Ethiopia, Kenya, Rwanda, Sudan, Tanzania, Uganda, and Eritrea as an observer, has partnered with external donors such as the World Bank on various cross-border water management and development projects. NBI is led by a Council consisting of the region's Ministers of Water Affairs and is advised by a Technical Advisory Committee. The NBI Secretariat's headquarters are co-located with Uganda's Ministry of Water in Entebbe.

[1](#)3. (SBU) Nile Basin countries met in May 2009 in Kinshasa and resolved to sign the CFA during a July 2009 Council of Ministers meeting in Egypt (refs. B and C). The CFA, which requires ratification by parliaments in six of the nine members states to go into effect, would transform the NBI into the Nile Basin Commission, a permanent regional treaty organization with the authority to make legally binding decisions on the management and development of Nile-related bodies of water. Egyptian and Sudanese objections over the obstruction of downstream water flow derailed the CFA's proposed signing in July and led to a negotiated six-month delay as a compromise.

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No Progress on CFA  
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[1](#)4. (C) Uganda's former Ambassador to the UN, Adonia Ayebare, told the Mission that the September 28-29 Technical Advisory Committee meeting was intended to "try and rescue" the CFA. Ayebare reported that President Museveni shook up his Nile

Basin leadership team, demoting Water Minister Maria Mutagamba and giving the Attorney General and Foreign Ministry the lead, in hopes of enticing Egypt and Sudan to support the CFA. Ayebare described Museveni's optimism as "naive."

15. (C) In an October 6 meeting with the Mission, Gordon Mumbo, a Kenyan who is the Regional Project Manager for the NBI Secretariat, said Uganda's new negotiating team produced no breakthroughs and talks with Egypt and Sudan over the CFA remain stalled. Noting that CFA ratification required the approval of only six members states, Mumbo said the seven upstream nations (Burundi, DRC, Ethiopia, Kenya, Rwanda, Tanzania, and Uganda) were ready to move forward with a final CFA draft during the Secretariat's next Technical Advisory Committee meeting in December in Dar es Salaam. Mumbo said the Technical Committee would then submit the document to the Council of Ministers which next convenes in Egypt in February 2010.

16. (C) Two Ugandan members of the NBI technical committee, Callist Tindimugaya and Mugisha Shillingi, identified Egypt and Sudan and the main obstacles to the CFA. They said the two downstream nations' insistence on the preservation of historic water rights and uses was unacceptable to Uganda and other upstream member states. Both Tindimugaya and Shillingi reiterated the Ugandan government's preference for a regional consensus. Tindimugaya, however, supported Mumbo's contention that a CFA signing could occur regardless of Egyptian and Sudanese opposition.

17. (SBU) At a press conference on the margins of the

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September 28-29 Technical Committee meeting in Kampala, Egypt's Minister for Water Resources and Irrigation, Dr. Mohamed Nasr Edin Allam, denied that Egypt was a roadblock to an agreement saying, "we respect the right of every member to use the Nile for development."

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Analyzing the CFA's Downstream Impact  
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18. (C) Mumbo claimed that the exploitation of the Nile by upstream nations like Uganda would have little impact on downstream water levels. He said the main problem in the region was not water scarcity but storage of heavy seasonal downpours. Mumbo said joint management of the Nile would prevent unilateral actions that have already violated colonial era agreements, and identified Tanzania's unilateral decision in 2004 to divert Lake Victoria water for irrigation as one example. He said foreign investment has made it easier for NBI countries to ignore the downstream impact of water-related projects because most bilateral funded projects, unlike the World Bank, do not require regional approval. Mumbo explained that the decision-making process in the proposed Nile Basis Commission would require the approval of two-thirds of the Commission's member states including at least one downstream country and is thus geared toward building consensus. While Mumbo said did he not see either Egypt or Sudan signing the CFA in the near-term, he said the two downstream states would eventually join once they realize the Commission poses no threat to their interests.

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Comment: Patience with Downstream States Running Thin  
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19. (C) Mumbo's prediction that Egypt and Sudan would allow downstream states to press on with the CFA without them is probably overly optimistic. Signing the CFA appears to be increasingly dependent on how long the seven upstream nations are willing to wait for their northern neighbors before deciding to act on their own. The proposed Nile Basin

Commission could have a far-reaching impact on the sovereignty of nations like Uganda that lie wholly within the Nile Basin. Severe drought and explosive population growth are increasing pressure on the Ugandan government to exploit the hydroelectric and irrigation development potential. Ensuring a functional and cooperative Nile Basin Commission is therefore a key component of Uganda's water resource development strategy.

¶10. (SBU) Plans to substantially increase U.S. assistance to food security in the region may also have an impact on the Nile Basin talks as assistance programs will likely involve irrigation projects in several of the upstream countries. USAID estimates that Uganda could receive an additional \$415 million over the next five years in food security assistance, and some of this money will likely be used for irrigation projects designed to increase food production.  
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